

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Master File No. CV-07-5944-JST

MDL No. 1917

This Document Relates to:  
All Indirect Purchaser Actions

**~~[PROPOSED]~~ FINAL JUDGMENT  
OF DISMISSAL WITH PREJUDICE  
AS TO THE PHILIPS, PANASONIC,  
HITACHI, TOSHIBA, SAMSUNG SDI,  
THOMSON, AND TDA DEFENDANTS**

Judge: Honorable Jon S. Tigar

This matter has come before the Court to determine whether there is any cause why this Court should not approve the settlements with the Philips,<sup>1</sup> Panasonic,<sup>2</sup> Hitachi,<sup>3</sup> Toshiba,<sup>4</sup> Samsung SDI,<sup>5</sup> Thomson,<sup>6</sup> and TDA<sup>7</sup> Defendants (collectively “Settling Defendants”) set forth in the respective settlement agreements (“Settlements”) relating to the above-captioned litigation, *In re Cathode Ray Tube (CRT) Antitrust Litigation*, Case No.3:07-cv-05944 JST, MDL No. 1917 (N.D. Cal.) (“Action”). The Court after carefully considering all papers filed and proceedings held herein and otherwise being fully informed in the premises, has determined that: (1) the Settlements should be approved; and (2) there is no just reason for delay of the entry of this final Judgment approving the Settlements. Accordingly, the Court directs entry of Judgment which shall constitute a final adjudication of this case on the merits as to the parties to the Settlements. Good cause appearing therefor, it is:

**ORDERED, ADJUDGED AND DECREED THAT:**

<sup>1</sup> “Philips” includes Koninklijke Philips N.V. (f/k/a Koninklijke Philips Electronics N.V.), Philips Electronics North America Corporation, Philips Taiwan Limited (f/k/a Philips Electronics Industries (Taiwan), Ltd.), and Philips do Brasil Ltda. (f/k/a Philips da Amazonia Industria Electronica Ltda.). The agreement was reached on January 26, 2015. *See* ECF No. 3862-1.

<sup>2</sup> “Panasonic” includes Panasonic Corporation (f/k/a Matsushita Electric Industrial Co., Ltd.), Panasonic Corporation of North America, and MT Picture Display Co., Ltd. The agreement was reached on January 28, 2015. *See* ECF No. 3862-2.

<sup>3</sup> “Hitachi” includes Hitachi, Ltd., Hitachi Asia, Ltd., Hitachi America, Ltd., Hitachi Electronic Devices (USA), Inc., and Hitachi Displays, Ltd. (n/k/a Japan Display Inc.). The agreement was reached on February 19, 2015. *See* ECF No. 3862-3.

<sup>4</sup> “Toshiba” includes Toshiba Corporation, Toshiba America, Inc., Toshiba America Information Systems, Inc., Toshiba America Consumer Products, L.L.C., and Toshiba America Electronic Components, Inc. The agreement was reached on March 6, 2015. *See* ECF No. 3862-4.

<sup>5</sup> “Samsung SDI” includes Samsung SDI Co. Ltd., Samsung SDI America, Inc., Samsung SDI Brasil, Ltd., Tianjin Samsung SDI Co. Ltd., Shenzhen Samsung SDI Co., Ltd., SDI Malaysia Sdn. Bhd., and SDI Mexico S.A. de C.V. The agreement was reached on April 1, 2015. *See* ECF No. 3862-5.

<sup>6</sup> “Thomson” includes Technicolor SA (f/k/a Thomson SA) and Technicolor USA, Inc. (f/k/a Thomson Consumer Electronics, Inc). The agreement was reached on June 10, 2015. *See* ECF No. 3876-1.

<sup>7</sup> “TDA” refers to Technologies Displays Americas LLC (f/k/a Thomson Americas LLC). The agreement was reached on June 10, 2015. *See* ECF No. 3876-1.

1           1.       The Court has jurisdiction over the subject matter of this litigation, and all actions  
2 within this litigation and over the parties to the Settlements, including all members of the Class and  
3 the Settling Defendants.

4           2.       The definitions of terms set forth in the Settlements are incorporated hereby as though  
5 fully set forth in this Judgment.

6           3.       The Court hereby finally approves and confirms the settlements set forth in the  
7 Settlements and finds that said settlements are, in all respects, fair, reasonable and adequate to the  
8 Class pursuant to Rule 23 of the Federal Rules of Civil Procedure and all applicable state laws.

9           4.       The persons/entities set out in Exhibit 1, attached hereto, have timely and validly  
10 requested exclusion from the Class and, therefore, are excluded. Such persons/entities are not  
11 included in or bound by this Final Judgment. Such persons/entities are not entitled to any recovery  
12 from the settlement proceeds obtained through the Settlements.

13          5.       The Court hereby dismisses on the merits and with prejudice the claims asserted by  
14 the Plaintiffs against the Settling Defendants, which were certified as a settlement class in the  
15 Court's Order Granting Final Approval of the Settlements (ECF No. 4712), with Plaintiffs and  
16 Settling Defendants to bear their own costs and attorneys' fees except as provided for in the  
17 Settlements.

18          6.       All persons and entities who are defined in the Settlements as Releasors are hereby  
19 barred and enjoined from commencing, prosecuting, or continuing any claims, demands, actions,  
20 suits, or causes of action, or otherwise seeking to establish liability, against Settling Defendants  
21 ("Releasees") based, in whole or in part, upon any of the Released Claims or conduct at issue in the  
22 Released Claims.

23          7.       Releasees are hereby and forever released and discharged with respect to any and all  
24 claims, demands, actions, suits, or causes of action which the Releasors had or have arising out of or  
25 related to any of the Released Claims.

26          8.       The notice given to the Class of the settlements set forth in the Settlements and other  
27 matters set forth therein was the best notice practicable under the circumstances. Said notice  
28 provided due and adequate notice of the proceedings and of the matters set forth therein, including

1 the proposed settlements set forth in the Settlements, to all persons entitled to such notice, and said  
2 notice fully satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure, the  
3 requirements of due process, and all applicable state laws.

4 9. Eleven objections to the Settlements were filed by 22 objectors. The objections are  
5 hereby overruled for the reasons set forth in the Court's Order Granting Final Approval of Indirect  
6 Purchaser Settlements, ECF No. 4712.

7 10. Without affecting the finality of this Judgment in any way, this Court hereby retains  
8 continuing and exclusive jurisdiction over: (a) implementation of these settlements and any  
9 distribution to Class Members pursuant to further orders of this Court; (b) disposition of the  
10 Settlement Fund; (c) hearing and determining applications by Plaintiffs' Class Counsel for  
11 attorneys' fees, costs, expenses, including expert fees and costs, and other such items; (d) the Class  
12 Action until the final judgments contemplated hereby have become effective and each and every act  
13 agreed to be performed by the parties all have been performed pursuant to the Settlements; and (e)  
14 all parties to the Class Action and Releasees for the purpose of enforcing and administering the  
15 Settlements and the mutual releases and other documents contemplated by, or executed in  
16 connection with, the Settlements.

17 11. In the event that any of the settlements do not become effective in accordance with  
18 the terms of that Settlement, then the judgment as to that Settling Defendant shall be rendered null  
19 and void and shall be vacated, and in such event, all orders entered and releases delivered in  
20 connection herewith shall be null and void and, except as otherwise provided in the Settlement, the  
21 parties shall be returned to their respective positions *ex ante*.

22 12. The Court determines, pursuant to Rules 54(a) and (b) of the Federal Rules of Civil  
23 Procedure, that this Final Judgment should be entered and further finds that there is no just reason  
24 for delay in the entry of this Judgment, as a Final Judgment, as to the parties to the Settlements.  
25 Accordingly, the Clerk is hereby directed to enter Judgment forthwith.

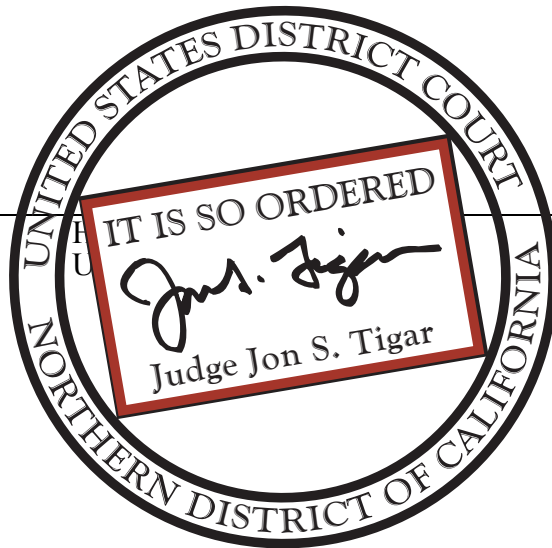
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IT IS SO ORDERED.

Dated: July 14, 2016



# **EXHIBIT 1**

**CRT INDIRECT PURCHASER  
EXCLUSION REQUESTS**

<b>Exclusion Request Number</b>	<b>Person or Entity</b>	<b>City, State</b>	<b>Postmark Date</b>
1	Robert W. Robinson	Buena Vista, CO	8/17/15
2	Kmart Corporation	Hoffman Estates, IL	9/24/15
	Kmart Management Corporation	Hoffman Estates, IL	9/24/15
	Kmart Holdings Corporation	Hoffman Estates, IL	9/24/15
3	Sears Holding Corporation	Hoffman Estates, IL	9/24/15
	Sears Holdings Management Corporation	Hoffman Estates, IL	9/24/15
	Sears, Roebuck and Co.	Hoffman Estates, IL	9/24/15
4	Bonnie Bryant	Mesa, AZ	10/3/15
5	Michael Katz	New York, NY	10/7/15